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(Additional counsel appearing on signature page)

**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION**

**DANIEL WALKER**, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

**FRED MEYER, INC.**, a Delaware  
corporation,

Defendant.

Case No. 3:17-cv-01791-YY

**NOTICE OF APPEAL**

Pursuant to Federal Rule of Appellate Procedure 3 and 4, notice is hereby given that Plaintiff Daniel Walker appeals to the United States Court of Appeals for the Ninth Circuit from the District Court's Order dismissing Plaintiff's complaint (Dkt. 47), which adopted in part the Magistrate Judge's Findings and Recommendations (Dkt. 38). Copies of both Orders are attached hereto as Exhibit A and Exhibit B, respectively.

\* \* \* \* \*

Dated: July 19, 2018

Respectfully submitted,

**DANIEL WALKER**, individually and on  
behalf of all others similarly situated,

s/Patrick H. Peluso

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**CERTIFICATE OF SERVICE**

I, Patrick H. Peluso, an attorney, hereby certify that I served the foregoing papers by causing true and accurate copies of such papers to be transmitted to all counsel of record through the Court's electronic filing system on July 19, 2018.

/s/ Patrick H. Peluso